

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of A.R.W. and C.D.W., Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CASEY DEAN WARNER,

Respondent-Appellant,

and

MELISSA WARNER,

Respondent.

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UNPUBLISHED

March 18, 2003

No. 244996

Branch Circuit Court

Family Division

LC No. 01-002095-NA

Before: Griffin, P.J., and Neff and Gage, JJ.

MEMORANDUM.

Respondent Casey Warner appeals as of right from a circuit court order terminating his parental rights to the minor children pursuant to MCL 712A.19b(3)(k)(ii). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(A) and (E).

The trial court did not clearly err in finding that the statutory ground for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). Respondent admitted that he sexually abused his daughter and that the abuse included attempted penetration, although he was convicted of a lesser-included offense as a result of a plea bargain. Further, the trial court's finding regarding the children's best interests was not clearly erroneous. *In re Trejo Minors*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000). Therefore, the trial court did not clearly err in terminating respondent's parental rights. *Id.* at 356-357.

Affirmed.

/s/ Richard Allen Griffin

/s/ Janet T. Neff

/s/ Hilda R. Gage